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New Jersey Conference of A.M.E.
Zion Church, Inc.

Plaintiff

VS.

United States Department of Agriculture,
Farmers Home Administration; Tom
Vilsack, Secretary of Agriculture
Defendant

UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CASE NO.:

CIVIL ACTION

PRELIMINARY STATEMENT

1. This is an action by a religious organization to reform a Deed to real property situation at 74 3rd Avenue, South Toms River, New Jersey. Reformation of the Deed is necessary because of an error in the original Deed from the United States Department of Agriculture, acting through the Administrator of the Farmers Home Administration. This date is September 19, 1983 and was recorded in Ocean County New Jersey.

JURISDICTION AND VENUE

2. This Court has Jurisdiction under 28 USC § 1331. Venue is proper in this district

pursuant to 28 USC § 1391 (e)(1) and 5 USC § 703 because Defendants resides in this district.

PARTIES

3. Plaintiff, New Jersey Conference of A.M.E. Zion Church, Inc. is a nonprofit organization, organized under the laws of the State of New Jersey and is affiliated with the African Methodist Episcopal Zion Church. The A.M.E. Zion Church is a Methodist religious denomination organized originally in 1796 with more than (1) one million members in the United States and throughout the world.

4. Defendant, United States of Department Agriculture is a Cabinet Agency established the Congress to oversee the Agriculture policy, and the Farmers Home Administration is part of the United States Department of Agriculture.

5. Defendant, Tom Vilsack, is the Secretary of Agriculture and sued in his official capacity.

FACTS

6. The Farmers Home Administration on or about April 9, 1983 by its State Director, James Hourybe issued a Quick Claim Deed to premises commonly known as Block 66, Lot 1, 3rd Avenue, Berkeley Township, Ocean County New Jersey to " New Jerusalem A.M.E. Zion Mission Trustees of the African Methodist Episcopal Zion Church in America". **See Exhibit A** attached. Which Deed was duly recorded in the Ocean County Clerk's Office in Deed book 4148, page 990 on September 16, 1983.

7. Said conveyance was made in error. The entity recited in the Deed does not exist.

8. The New Jersey Conference of the A.M.E. Zion Church, Inc. has entered into a contract of sale for the aforesaid property. Because of the error in the name of the

9. The minutes of various annual conferences of New Jersey Conference of the A.M.E. Zion Church, Inc. reflect that the aforesaid premises was part of the African Methodist Episcopal Zion Church and as such Title should have been vested in it. As a result of the aforesaid error Title to aforesaid premises is now unmarkable.

10. Reformation of the aforesaid Deed is necessary. Specifically, the Deed should be reformed to read; "United States of America, acting through the Administrator of the Farmers Home Administration of the United States Department of Agriculture to New Jersey Conference of the African Methodist Zion Church, Inc." conveys the New Jersey Conference A.M.E. Zion Church Inc.

CAUSE OF ACTION

11. The Plaintiff seeks reformation of the aforesaid Deed pursuant to the Court's equitable power.

12. Judgment is required directing the Secretary of Agriculture and or his subordinates in the Famers Home Administration to correctly convey title to the Plaintiff.

13. Plaintiff have no remedy under New Jersey law as the grantor is an agency of the United States of America and as such would not be subject to jurisdiction under the Courts of the State of New Jersey.

Wherefore Plaintiff seeks a Judgment as follows;

1. A Judgment directing the Defendants to issue a corrected Deed to the New Jersey Conference of A.M.E. Zion Church, Inc. immediately;

2. Such further relief as the Court should deem just and equitable.

February 28, 2022

/s/ Walter D. Nealy
Walter D. Nealy
Attorney for Plaintiff, New Jersey
Conference of the A.M.E. Zion Church